



PTO/SB/01 (08-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

Declaration Submitted With Initial Filing

OR

Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	48679
First Named Inventor	FAN, Shihe et al.
COMPLETE IF KNOWN	
Application Number	10/726,574
Filing Date	December 4, 2003
Art Unit	1638
Examiner Name	

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD OF EX VITRO SOWING, GERMINATION, GROWTH AND CONVERSION OF PLANT SOMATIC EMBRYOS OR GERMINANTS, AND NUTRIENT MEDIUM USED THEREFOR**

(Title of the Invention)

the specification of which

is attached hereto

OR

was filed on (MM/DD/YYYY)  as United States Application Number or PCT International

Application Number  and was amended on (MM/DD/YYYY)  (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? Yes	Certified Copy Attached? No
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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## DECLARATION — Utility or Design Patent Application

Direct all correspondence to: <input checked="" type="checkbox"/> Customer Number: 02048      OR <input type="checkbox"/> Correspondence address below			
Name <em>(Signature)</em>			
Address <em>(Address)</em>			
City		State	
ZIP			
Country		Telephone	
		Fax	
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>			
<b>NAME OF SOLE OR FIRST INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) SHIHE		Family Name or Surname FAN	
Inventor's Signature <em>(Signature)</em>		<input checked="" type="checkbox"/> Date <em>Mar 17, 2001</em>	
Residence: City EDMONTON		State ALBERTA	
		Country CANADA	
		Citizenship CANADIAN	
Mailing Address <em>(Address)</em>			
City EDMONTON			
State ALBERTA		ZIP T6T 4G6	
		Country CANADA	
<b>NAME OF SECOND INVENTOR:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) STEVEN CHARLES		Family Name or Surname GROSSNICKLE	
Inventor's Signature <em>(Signature)</em>		<input checked="" type="checkbox"/> Date <em>Mar 17, 2001</em>	
Residence: City NORTH SAANICH		State BRITISH COLUMBIA	
		Country CANADA	
		Citizenship U.S.	
Mailing Address <em>(Address)</em>			
1325 READINGS DRIVE			
City NORTH SAANICH		State BRITISH COLUMBIA	
		ZIP V81 5K7	
		Country CANADA	
<input checked="" type="checkbox"/> Additional inventors or a legal representative are being named on the 1 supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.			



PTO/SB/01 (08-03)

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(37 CFR 1.63)**

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Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	48679
First Named Inventor	FAN, Shihe et al.
COMPLETE IF KNOWN	
Application Number	10/726,574
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Art Unit	1638
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(Title of the Invention)

the specification of which

is attached hereto

**OR**

was filed on (MM/DD/YYYY)  as United States Application Number or PCT International

Application Number  and was amended on (MM/DD/YYYY)  (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

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Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? Yes	Certified Copy Attached? No
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

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**DECLARATION — Utility or Design Patent Application**

Direct all correspondence to:  Customer Number: **02048** OR  Correspondence address below

Name

Address

City

State

ZIP

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:

 A petition has been filed for this unsigned inventorGiven Name  
(first and middle [if any]) **SHIHE**Family Name  
or Surname **FAN**Inventor's  
Signature DateResidence: City  
**EDMONTON**State  
**ALBERTA**Country  
**CANADA**Citizenship  
**CANADIAN**Mailing Address  
**G303 12025-25 AVENUE**City  
**EDMONTON**State  
**ALBERTA**ZIP  
**T6T 4G6**Country  
**CANADA**

NAME OF SECOND INVENTOR:

 A petition has been filed for this unsigned inventorGiven Name  
(first and middle [if any])  
**STEVEN CHARLES**Family Name  
or Surname **GROSSNICKLE**Inventor's  
Signature DateResidence: City  
**NORTH SAANICH**State  
**BRITISH COLUMBIA**Country  
**CANADA**Citizenship  
**U.S.**Mailing Address  
**1325 READINGS DRIVE**City  
**NORTH SAANICH**State  
**BRITISH COLUMBIA**ZIP  
**V81 5K7**Country  
**CANADA**

Additional inventors or a legal representative are being named on the **1** supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.



PTO/SB/02A (08-03)

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**DECLARATION****ADDITIONAL INVENTOR(S)  
Supplemental Sheet**Page 1 of 1

<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
MARLIES		RISE	
Inventor's Signature			Date <u>Jan. 12, 2004</u>
VICTORIA Residence: City	B.C. State	CANADA Country	CANADIAN Citizenship
1677 HOLLYWOOD CRESCENT Mailing Address			
Mailing Address			
VICTORIA City	BRITISH COLUMBIA State	V8S 1J2 Zip	CANADA Country
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
STEPHEN M.		ATTREE	
Inventor's Signature			Date <u>12 Jan 2004</u>
VICTORIA Residence: City	BRITISH COLUMBIA State	CANADA Country	BRITISH Citizenship
749 BYNG STREET Mailing Address			
Mailing Address			
VICTORIA City	BRITISH COLUMBIA State	V8S 5B1 Zip	CANADA Country
<b>Name of Additional Joint Inventor, if any:</b>		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
RAYMUND		FOLK	
Inventor's Signature			Date <u>January 12, 2004</u>
SIDNEY Residence: City	BRITISH COLUMBIA State	CANADA Country	CANADIAN Citizenship
9604 SEVENTH STREET Mailing Address			
Mailing Address			
SIDNEY City	BRITISH COLUMBIA State	V8L 2V3 Zip	CANADA Country

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/96 (08-03)

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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: FAN, Shihe et al.Application No./Patent No.: \_\_\_\_\_ Filed/Issue Date: December 4, 2003Entitled: METHOD OF EX VITRO SOWING, GERMINATION, GROWTH AND CONVERSION ...CELLFOR INC., a CORPORATION  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or2.  an assignee of less than the entire right, title and interest.The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.**OR**B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached. Additional documents in the chain of title are listed on a supplemental sheet. Copies of assignments or other documents in the chain of title are attached.[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document)  
must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be  
recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

16 JANUARY 2004DAVE ELLIS

Typed or printed name

Dave Ellis

Signature

Director Operations

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



COPY

48679

U.S. ASSIGNMENT  
PENDING DES/PAT APPLICATION  
INDIVIDUAL(S) TO CO/IND

I/We,

Shihe FAN of G303 12025-25 Avenue, Edmonton, AB T6T 4G6, CANADA;Steven Charles GROSSNICKLE of 1325 Readings Drive, North Saanich, BC V81 5K7, CANADA;Marlies RISE of 1677 Hollywood Crescent, Victoria, BC V8S 1J2, CANADA;Stephen M. ATTREE of 749 Byng Street, Victoria, BC V8S 5B1, CANADA;Raymund FOLK of 9604 Seventh Street, Sidney, BC V8L 2V3, CANADA

(name and address of assignor(s))

in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, do hereby sell and assign to:

CELLFOR INC. of P.O. Box 133, Brentwood Bay, British Columbia, V8M 1R3 CANADA

hereinafter called the assignee, the entire right, title and interest in and to the invention entitled

METHOD OF EX VITRO SOWING, GERMINATION, GROWTH AND CONVERSION  
OF PLANT SOMATIC EMBRYOS OR GERMINANTS, AND NUTRIENT  
MEDIUM USED THEREFORas disclosed in the United States patent application Serial No. 10/726,574 filed December 4, 2003.

and in and to said United States patent, and in and to any and all reissues and extensions thereof, in and for the United States, Canada, and all other countries, the same to be held and enjoyed by the said assignee, its successors, assigns, or legal representatives to the full ends of the terms for which all Letters Patent therefor is granted, as fully and entirely as the same would have been held and enjoyed by us if this assignment and sale had not been made; this assignment including the right to take action and recover in respect of any infringement of the patent that took place prior to the date of this assignment.

SIGNED at U of Albertathis 5 day of April 2004

Shihe FAN

Date : April 5/2004Witness : Pruelette BusseyAddress : 751 General Services Bldg1619 10th Ave -  
Edmonton, AB  
T6C 2H1

COPY



Page 2  
CellFor Inc.  
48679

Date : \_\_\_\_\_

*Steven Charles GROSSNICKLE*

Witness : \_\_\_\_\_

Address : \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date : \_\_\_\_\_

*Marlies RISE*

Witness : \_\_\_\_\_

Address : \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date : \_\_\_\_\_

*Stephen M. ATTREE*

Witness : \_\_\_\_\_

Address : \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date : \_\_\_\_\_

*Raymund FOLK*

Witness : \_\_\_\_\_

Address : \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# COPY

48679

U.S. ASSIGNMENT  
PENDING DES/PAT APPLICATION  
INDIVIDUAL(S) TO CO/IND

I/We,

Shihe FAN of G303 12025-25 Avenue, Edmonton, AB T6T 4G6, CANADA;

Steven Charles GROSSNICKLE of 1325 Readings Drive, North Saanich, BC V81 5K7, CANADA;

Marlies RISE of 1677 Hollywood Crescent, Victoria, BC V8S 1J2, CANADA;

Stephen M. ATTREE of 749 Byng Street, Victoria, BC V8S 5B1, CANADA;

Raymund FOLK of 9604 Seventh Street, Sidney, BC V8L 2V3, CANADA

(name and address of assignor(s))

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MEDIUM USED THEREFOR**

as disclosed in the United States patent application Serial No. 10/726,574 filed December 4, 2003.

and in aid to said United States patent, and in aid to any and all reissues and extensions thereof, in and for the United States, Canada, and all other countries, the same to be held and enjoyed by the said assignee, its successors, assigns, or legal representatives to the full ends of the terms for which all Letters Patent therefor is granted, as fully and entirely as the same would have been held and enjoyed by us if this assignment and sale had not been made, this assignment including the right to take action and recover in respect of any infringement of the patent that took place prior to the date of this assignment.

SIGNED at \_\_\_\_\_

this \_\_\_\_\_ day of \_\_\_\_\_. X

Date : \_\_\_\_\_

*Shihe FAN*

Witness : \_\_\_\_\_

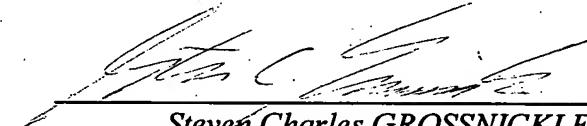
Address : \_\_\_\_\_  
\_\_\_\_\_  
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# COPY



Page 2  
CellFor Inc.  
48679

Date : JAN. 14, 2004  
Witness : Ann Grossnickle  
Address : 1325 Readings Dr.  
Sidney BC  
V8L5K7



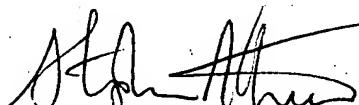
Steven Charles GROSSNICKLE

Date : Jan. 12, 2004  
Witness : Ann Grossnickle  
Address : 8-1677 Hollywood Cres.  
Victoria, BC V8S 1J2  
Canada



Marlies RISE

Date : Jan. 12, 2004  
Witness : Ann Grossnickle  
Address : 9604 SEVENTH ST.  
SIDNEY, BC V8L 2V3  
CANADA

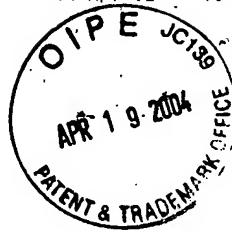


Stephen M. ATTREE

Date : Jan. 12, 2004  
Witness : Ann Grossnickle  
Address : 9604 SEVENTH ST.  
SIDNEY BC V8L 2V3  
CANADA



Raymund FOLK



PTO/SB/81 (09-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**POWER OF ATTORNEY  
and  
CORRESPONDENCE ADDRESS  
INDICATION FORM**

Application Number	10/726,574
Filing Date	December 4, 2003
First Named Inventor	FAN, Shihe et al
Title	Method of Ex Vitro Sowing ...
Art Unit	
Examiner Name	
Attorney Docket Number	48879

I hereby appoint:

 Practitioners associated with the Customer Number:

02048

OR

 Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

 The address associated with the above-mentioned Customer Number:

OR

 The address associated with Customer Number:

OR

<input type="checkbox"/>	Firm or Individual Name			
Address				
Address				
City		State	Zip	
Country				
Telephone		Fax		

I am the:

 Applicant/Inventor. Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

**SIGNATURE of Applicant or Assignee of Record**

Name	Robert G. LAWRENCE		
Signature	R. G. Lawrence		
Date	April 5, 2004	Telephone	(250) 544-0787 #261

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

 \*Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.